

Message Text

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AMCONSUL IBADAN

AMCONSUL KADUNA

C O N F I D E N T I A L SECTION 1 OF 2 LAGOS 0598

E.O. 11652: GDS

TAGS: PGOV, PINT, NI

SUBJECT: EXECUTIVE PRESIDENCY APPROVED: AM ORTHERN DEFEAT?

1. SUMMARY: ACCORDING TO THE DAILY TIMES OF JANUARY 11, THE CONSTITUENT ASSEMBLY 'OVERWHELMINGLY' ADOPTED THE PROPOSED EXECUTIVE PRESIDENCY CONCEPT FOR THE NEW NIGERIAN CONSTITUTION. THE APPROVAL APPARENTLY WAS ACHIEVED IN THE FACE OF NORTHERN OPPOSITION, WHICH HAD INCREASED IMMEDIATELY PRIOR TO THE REOPENING OF THE ASSEMBLY ON JANUARY 9, AND RESULTED IN COMPLAINTS ABOUT THE 'UNDEMOCRATIC, PRIMITIVE AND UNPARLIAMENTARY' MANNER IN WHICH THAT BODY IS BEING RUN. THE PROCESS MORE LIGHT MAY HAVE BEEN SHED ON HOW THE ASSEMBLY IS RUNNING IN CLOSED COMMITTEE SESSIONS. END SUMMARY.

2. THE DAILY TIMES OF JANUARY 11 REPORTED THAT ACCORDING TO 'INFORMED SOURCES IN THE ASSEMBLY' THE CONSTITUENT ASSEMBLY (CA) HAD 'OVERWHELMINGLY' ADOPTED THE EXECUTIVE PRESIDENTIAL CONCEPT FOR THE NEW CONSTITUTION. DR. IBRAHIM TAHIR OF BAUCHI REPORTEDLY SPEARHEADED AN UNSUCCESSFUL CAMPAIGN
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BY SOME TO REJECT THE EXECUTIVE PRESIDENCY IN FAVOR OF THE WESTMINISTER CONCEPT.

3. BASED ON A SURVEY OF STATEMENTS BY MOST OF THE NORTHERN CA MEMBERS PRIOR TO THE DECEMBER ADJOURNMENT, KADUNA CONSULATE REPORTS THAT A PLURALITY (39) FAVORED THE EXECUTIVE PRESIDENCY AND ROUGHLY EQUAL NUMBERS WERE OPPOSED (22) OR ADOPTED NO

CLEAR POSITION (23). HOWEVER, KADUNA ALSO REPORTED THAT DURING THE HOLIDAY RECESS THERE HAD BEEN HEAVY LOBBYING BY THOSE OPPOSED TO EXECUTIVE PRESIDENCY. THIS EFFORT CULMINATED IN TWO EDITORIALS IN THE NEW NIGERIAN ON JANUARY 8 AND 9 WHICH CALLED FOR THE HOLDING OF A NATIONAL REFERENDUM ON THE NEW CONSTITUTION AND THE EXECUTIVE PRESIDENCY.

4. THE EXECUTIVE PRESIDENCY WAS THE FIRST MAJOR ISSUE CONSIDERED BY THE UNCONVENED CA AND WAS APPARENTLY APPROVED BY VOICE VOTE RATHER THAN A DIVISION AND THE COUNTING OF INDIVIDUAL MEMBERS. OTHER MORE DETAILED AMENDMENTS TO THE SECTION CONCERNING THE MINIMUM AND MAXIMUM AGE WERE CONSIDERED WEDNESDAY, JANUARY 12, AND IN AT LEAST ONE CASE, VOTING ON A PROPOSAL TO LOWER THE MINIMUM AGE TO TWENTY-ONE, A DIVISION WAS REQUIRED. THE MINIMUM AGE FINALLY AGREED ON WAS 35.

5. DAILY TIMES AND NEW NIGERIAN, JANUARY 12, ALSO REEPORTED COMPLAINTS BY THREE MEMBERS OF THE CA ABOUT THE MANNER IN WHICH THE ASSEMBLY WAS BEING RUN. ALL THREE MEMBERS WERE FROM THE NORTH, SHEHU UMAR ABDULLAHI (KANO), ALHAJI KARI (BAUCHI) AND DR. IBRAHIM TAHIR (BAUCHI), SUGGESTING CONFIDENTIAL

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THAT THEIR COMPLAINTS MAY HAVE BEEN AT LEAST IN PART RELATED TO THE HANDLING OF THE QUESTION OF EXECUTIVE PRESIDENCY.

6. ABDULLAHI USED THE STRONGEST LANGUAGE, DESCRIBING THE ASSEMBLY AS 'UNDEMOCRATIC, PRIMITIVE AND UNPARLIAMENTARY.' HE ALSO CLAIMED THAT OTHER MEMBERS, INCLUDING CHIEF SIMON ADEBO (NOMINATED MEMBER) AND CHIEF BIF ONABANJO

(OGUN) AND MALAM TURI MUHAMMADU (NIGER), SHARED HIS VIEWS. TAHIR CHARGED THE MEMBERS HAD INSUFFICIENT TIME TO INTRODUCE AMENDMENTS AND TO DEFEND THEIR PROPOSALS. KARI ECHOED TAHIR'S COMPLAINT, SPECIFICALLY CHARGING THAT THE COMPOSITION OF THE BUSINESS COMMITTEE AND MANNER IN WHICH IT CARRIED OUT ITS WORK LED TO THE SUSPICION THAT EXTRANEIOUS FORCES WERE 'BULLDOZING THE DRAFT BILL INTO A CONSTITUTION.' HE OBJECTED TO THE DRAFT CONSTITUTION PREFERRING THE 1963 PARLIAMENTARY MODEL AND COMMENTED THAT BY 'DESIGN OR DEFAULT' THE MILITARY WAS DICTATING TO CIVILIANS. HE SPECIFICALLY CALLED FOR THE ABOLITION OF ALL EXISTING COMMITTEES AND THE APPOINTMENT OF NEW ONES.

7. THE BUSINESS COMMITTEE HAS THE FUNCTION OF ALLOTING TIME FOR DEBATE, SELECTING AND REPORTING MOTIONS TO THE CA AND ADVISING THE ASSEMBLY ON OTHER MATTERS. IT IS CHAIRED BY THE DEPUTY CHAIRMAN OF THE CA, ALHAJI MUHAMMADU BUBA ARDO AND HAS 13 MEMBERS: PROFESSOR BENJAMIN O. NWABUEZE, CHAIRMAN OF THE CONSTITUTION DRAFTING COMMITTEE (CDC) SUBCOMMITTEE ON NATIONAL OBJECTIVES AND PUBLIC ACCOUNTABILITY; ALHAJI ABDUL RAZAQ OR RASAQ, CHAIRMAN OF THE CDC SUB-COMMITTEE ON THE EXECUTIVE AND THE LEGISLATURE; DR PIUS OKIGBO, CHAIRMAN OF THE CDC SUBCOMMITTEE ON THE ECONOMY, FINANCE AND DIVISION OF POWER; MR. OLUSANYA AWOTESU (OGUN); DR. KINGSLEY O. MBADIWE (IMO); MR. SAMUAL O. MBAKWE (IMO); DR. DANIEL G. VEMBEH (BENUE); CHIEF FRANK N. INOK (CROSS RIVER); ALHAJI ADAMU CIROMA (BORNO); ALHAJI SHEHU MALAMI
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(SOKOTO); DR. IYA ABUBAKAR (GONGOLA); DR. MUDIAGA ODJE (BENDEL); AND DR. FRIDAY NWATOR (RIVERS). THE MEMBERS WERE APPOINTED BY THE CHAIRMAN OF THE CA AT THE SECOND MEETING DAY OF THE ASSEMBLY, APPARENTLY BASED ON NOMINATIONS FROM

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THE CA.

8. COMMENT: WHY THE EVIDENTLY SUBRTANTIAL OPPOSITION IN THE NORTH AGAINST THE EXECUTIVE PRESIDENCY? A PROMINENT NORTHERNER, WHO IS NOT MEMBER OF CA AND WHO CONFIRMED THE REPORTED LOBBYING BY OPPONENTS OF EXECUTIVE PRESIDENCY, OFFERED FOLLOWING ANALYSIS REPORTED BY KADUNA. NORTHERNERS HAD CONCLUDED THAT AWOLOWO IS VERY LIKELY TO WIN PRESIDENTIAL ELECTION. SOURCE SAID THAT AWOLOWO HAS FULL SUPPORT OF YORUBALAND, 'AT LEAST' HALF OF IBOLAND AS WELL AS KWARA, BENUE AND PLATEAU.

9. WE QUESTION THIS ANALYSIS. GIVEN HISTORY OF YORUBA IN-FIGHTING, WE DOUBT AWOLOWO WILL HAVE SUPPORT OF ALL YORUBAS. FURTHER, RECENT VISITS TO EAST SUGGEST THAT NORTHERNERS HAVE BETTER OPPORTUNITY THERE THAN AWOLOWO. FINALLY, WHILE WE KNOW SOME NORTHERNERS HAVE BEEN POLITICKING IN THE EAST, WE HAVE HEARD LITTLE OF YORUBA EFFORTS THERE AND SOME HAVE FLATLY STATED THAT YORUBAS HAD NOT BEEN POLITICKING IN THE AREA. WE FEEL BEST POSSIBILITY FOR VICTORY BY AWOLOWO WOULD ARISE IF THERE WERE MORE THAN ONE NORTHERN CANDIDATE WHO WOULD SPLIT THAT AREA'S VOTE.

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10. AN ALTERNATIVE THEORY ON NORTHERN THINKING WAS OFFERED BY ANOTHER OBSERVER. HE SAID THAT NORTHERNERS FEEL THAT GIVEN THE CHARACTER OF THE PROPOSED ELECTION SYSTEM FOR THE EXECUTIVE PRESIDENT, IT WILL BE NECESSARY FOR A NORTHERN CANDIDATE TO MAKE POLITICAL DEALS WITH KEY POLITICIANS IN OTHER AREAS, THUS DILUTING HIS COMMITMENT TO NORTHERN OBJECTIVES. IN A PARLIAMENTARY SYSTEM THE NORTH, WITH ITS LARGE POPULATION, WOULD MORE OFTEN BE ABLE TO CONTROL A MAJORITY IN THE PARLIAMENT.

11. IRRESPECTIVE OF THE REASONS FOR THE NORTHERN THINKING ON THE QUESTION, IT APPEARS THAT AT LEAST ONE NORTHERN FACTION LEAD BY TAHIR WAS DEFEATED IN THE FIRST MJAOR QUESTION IN THE ASSEMBLY. THIS DEFEAT RAISES QUESTIONS CONCERNING HOW SHARIA COURT PROVISION IN DRAFT WILL FARE. THE KADUNA SOURCE WHO OFFERED AWOLOWO THEORY COMMENTED THAT NORTH IS LIKELY TO LOSE SHARIA COURT QUESTION AS WELL, CITING HEAVY PRESSURE BY CHRISTIAN CHURCHES ON CHRISTIAN CA MEMBERS. INTERESTINGLY, ONE SOUTHERN CA MEMBER TOLD EMBOFF TWO MONTHS AGO SHE WAS CONVINCED EXECUTIVE PRESIDENCY WOULD BE APPROVED AND SHARIA COURT DEFEATED, NOTING THAT THE SAME GROUP WHICH SUPPORTED SHARIA COURT OPPOSED EXECUTIVE PRESIDENCY. CA MEMBER SAID SOUTHERN MEMBERS, MIDDLE BELT MEMBERS AND PROBABLY BAUCHI MEMBERS WOULD OPPOSE SHARIA --ROUGHLY SAME GROUPING THAT NORTHERN SOURCE SUGGESTED WOULD ELECT AWOLOWO.

12. FINALLY, THE QUESTION OF HOW THE ASSEMBLY, WHICH IS NOW MEETING IN CLOSED SESSION AS COMMITTEE OF THE WHOLE,

IS BEING RUN IS INTRIGUING. IT WOULD APPEAR THAT THE BUSINESS COMMITTEE AND THE CHAIRMAN ARE PUSHING ISSUES THROUGH AT A FAST PACE. THE FACT THAT THE VOTE ON A MAJOR ISSUE SUCH AS EXECUTIVE PRESIDENCY WAS TAKEN BY VOICE HAS A CERTAIN RAILROADING AURA. WE SUSPECT THAT THE CONFIDENTIAL

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PRESSURE IS ON TO PUSH THE CA AS RAPIDLY AS POSSIBLE TO COMPLETE THE CONSTITUTION EARLY IN ORDER TO ALLOW AN EARLIER RETURN TO OPEN POLITICAL ACTIVITY AND TO SHORTEN THE TIME FOR A CRITICAL REVIEW BY THE PRESS.

13. LOGICALLY, COMPROMISES WILL BE STRUCK BY MEMBERS OUTSIDE THE MEETING HALL. HOWEVER, THE BUSINESS COMMITTEE, WHICH APPEARS TO PLAY A KEY ROLE, DOES NOT STRIKE US AS A TRULY REPRESENTATIVE BODY. APPARENTLY FOUR OF ITS FOURTEEN MEMBERS ARE IBOS (NWABUEZE, OKIGBO, MBADIWE, MBAKWE), TWO EASTERN MINORITY TRIBES (INOK AND NWATOR), TWO BENDEL NATIVES (VEMBEH AND ODJE), ONE YORUBA (AWOTESU), AND FOUR NORTHERNS (RAZAQ, CIROMA, ABUBAKAR, MALAMI)-" PLUS THE DEPTY CHAIRMAN OF THE ASSEMBLY WHO IS THEORETICALLY NEUTRAL BUT IS A NORTHERNER. WHILE ALL OF THE NORTHERN MEMBERS STRIKE US AS KEY INDIVIDUALS, SOUTHERNERS HAVE A CLEAR MAJORITY ON THAT BODY. FURTHER, THERE ARE AS MANY IBO MEMBERS AS THERE ARE NORTHERNERS. WE WOULD ASSUME THAT THE BUSINESS COMMITTEE IS A CHANNEL OF COMMUNICATIONS FOR SMC DESIRES (ESPECIALLY IN VIEW OF CIROMA'S PRESENCE).

14. THE IMPLICATIONS FOR THE NEXT FEW MONTHS ARE THAT THE CA WILL QUICKLY MOVE FORWARD IN COMPLETING THE CONSTITUTION, THERE MAY WELL BE MORE PUBLIC COMPLAINTS BY MEMBERS (SOMEWHAT MARRING BOTH THE CA'S IMAGE AND THE IMAGE OF THE NEW CONSTITUTION), AND THE SMC PROBABLY STANDS A GOOD CHANCE OF OBTAINING A CONSTITUTION WHICH MEETS ITS DESIRES. WE ALSO WONDER HOW SIGNIFICANT NORTHERN UNHAPPINESS WILL BECOME, A PROBLEM WHICH SEEMS MORE LIKELY NOW THAN IT DID LAST MONTH.
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